

Attorney Docket No. 04150/LH**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicants : Tooru HISHIYAMA et al
Serial No. : 10/805,617
Filed : March 18, 2004
For : LOAD DISPLAY DEVICE
FOR CRUSHER
Art Unit : 3725
Examiner : ROSENBAUM, Mark
Customer No.: 01933
Confirm. No.: 3725

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97(d) WITH MODIFIED STATEMENTS
UNDER 37 CFR 1.97(e) AND 1.704(d) AND FEE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

Submitted herewith are the following:

- (1) Copy of a Japanese Office Action (Notification of Reasons for Rejection) dated June 20, 2007 (and English translation thereof), issued in a counterpart Japanese application of related U.S. Application Serial No. 10/805,618;
- (2) Copies of the cited Japanese publications;
- (3) IDS Form; and
- (4) A Form 2038 is enclosed to cover the USPTO fee of \$180.00 as set forth under 37 CFR 1.17(p) for filing an IDS at this stage of prosecution (after issuance of a Final Office Action).

CERTIFICATE OF FACSIMILE
TRANSMISSION
TO NO. 1-571-273-8300

TOTAL PAGES: 54

I hereby certify that this
paper is being facsimile
transmitted to the
Commissioner for Patents,
on the date noted below.Diane J. Hegstrom
Diane J. HegstromDated: July 5, 2007

In the event that this Paper is late filed, and
the necessary petition for extension of time is
not filed concurrently herewith, please
consider this as a Petition for the requisite
extension of time, and to the extent not
tendered by credit card payment, authorization
to charge the extension fee, or any other fee

RECEIVED
CENTRAL FAX CENTER

JUL 05 2007

07/06/2007 TL0111 00000007 10005617

01 FC:1806

180.00 0P

-1-

RECEIVED
CENTRAL FAX CENTER

JUL 05 2007

Please type a plus sign (+) inside this box →



U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

IDS FORM INFORMATION DISCLOSURE STATEMENT BY APPLICANT				U.S. Serial No.		10/805,617		
				Filing Date		March 18, 2004		
				First Named Inventor		Tooru HISHIYAMA et al		
				Group Art Unit		3725		
				Examiner Name		ROSENBAUM, Mark		
Sheet	1	of	1	Attorney Docket Number		04150/LH		
U.S. PATENT DOCUMENTS								
Exam. Inits*	Cite No ¹	Document Number	Kind Code ²	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion		
		5,765,765	A	TAMURA et al	06-16-1998			
FOREIGN PATENT DOCUMENTS								
Exam Inits*	Cite No ¹	Offc ³	Document Number ⁴	Kind Code ⁵	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion	T ⁶
		JP	08-047651	A	KOMATSU LTD.	02-20-1996		
		JP	2002-219379	A	HITACHI CONSTR. MACH. CO. LTD.	08-06-2000		x
x Includes a full English translation and a commercially-available English language Abstract.								
Examiner Signature					Date Considered			

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Place a check here if English translation is attached.

DATE MAILED: July 5, 2007

JUL 05 2007

Authorization is given to charge any additional fees which may be required, or to credit any overpayment, to Account No. 06-1378.

An English translation of said Japanese Office Action is provided, thereby satisfying the requirements for a concise explanation of relevance for any non-English language publications cited therein (MPEP 609.04(a)III).

A full English language translation and a commercially-available English Abstract of JP 2002-219379 are submitted herewith.

USP 5,765,765, also cited in this IDS, is the U.S. counterpart of JP 8-047651.

MODIFIED STATEMENT UNDER 37 CFR 1.97(e)

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application of related U.S. Serial No. 10/805,618 not more than three months prior to the filing of the present Information Disclosure Statement. Said Communication bears a mailing date of June 20, 2007.

The filing of this Information Disclosure Statement, with fee, is timely under the provisions of 37 CFR 1.97(d).

MODIFIED STATEMENT UNDER 37 CFR 1.704(d)

Each item of information contained in this Information Disclosure Statement was cited in said communication from a foreign patent office in a counterpart foreign application, and this communication was not received by any individual designated in

\$1.56(c) more than thirty days prior to the filing of the present Information Disclosure Statement.

RECEIVED
CENTRAL FAX CENTER

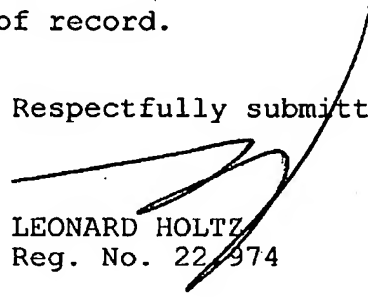
NOT A RESPONSE TO OFFICE ACTION

JUL 05 2007

This paper is not a response to the outstanding Office Action mailed May 8, 2007. A response to said outstanding Office Action will be timely filed in due course.

It is requested that an initialed copy of the IDS Form be returned to indicate that the publications listed therein have all been considered and made of record.

Respectfully submitted,


LEONARD HOLTZ
Reg. No. 22,974

FRISHAUF HOLTZ GOODMAN & CHICK, P.C.
220 FIFTH AVENUE
NEW YORK, N.Y. 10001-7708
Tel. No. (212) 319-4900
Fax No. (212) 319-5101
LH:djh